

Attorney Docket: FBR/LTE/001

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re PATENT APPLICATION of:

Confirmation Number: 2124

Andrews

RECEIVED
JAN 24 2006

Application No.: 09/485,657

Group Art Unit: 2644

Filed: March 24, 2000

Examiner: Michalski, Justin

OFFICE OF PETITIONS

Title: A Distributed Stereo System

PETITION TO WITHDRAW FROM ISSUE UNDER 37 C.F.R. 1.313(c)(2)

Mail Stop Petitions

Commissioner for Patents
Alexandria, VA 22313

Sir:

Applicant hereby petitions under 37 C.F.R. 1.313(c)(2) to withdraw the above-referenced patent application from issue. Applicant is taking this step in order to file an RCE, filed concurrently herewith, so as to be able to correct the inventorship of the application.

Additionally, applicant wishes to submit certain additional references not previously of record.

Although the issue fee was paid on October 12, 2005, there was a delay at the PTO's printing office due to the PCT-903 Form missing. (That form has now been supplied.)

Applicant's undersigned representative contacted the Issue Branch on January 24, 2006, and was informed that an issue date has not yet been assigned to this application, and that issuance of this application is "definitely several weeks away." Accordingly, Applicant submits that there is adequate time in which to withdraw the application from issue.

Andrews, 09/485,657
Client/Matter: FBR/LTE/001

A check in the amount of \$130, the petition fee under 37 C.F.R. 1.17(h), is enclosed herewith.

Respectfully submitted,



KENNETH M. FAGIN
Reg. No. 37615
Tel. No. (301) 721-2583
Fax No. (301) 560-8880

Date: 1/24/06

Attorney Docket: FBR/LTE/001

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Fax No. (301) 560-8880

Date: 1/24/06

RECEIPT FROM PTO FOR INDICATED ITEMS

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 Use 2 postcards for all New Applns. (cont/Div/CIP, too)
Use this sheet when filing CPA

| | |
|---------------------------------------|------------------------------|
| Appln. No: 09/485,657 | Atty: Kenneth M. Fagin, Esq. |
| First Inventor: Andrews | Date: July 27, 2005 |
| ENTITLED: A Distributed Stereo System | Matter Name: FBR/LTE/001 |
| | Client Name: FBR |

ENCLOSED:

- Response/Amendment Appendix Cover Sheet Cited>Listed Documents
 Completion Request for R 53(f)/PCT Nat.

No. of Pages Abstract

RECEIVED

JAN 8 4 2006

No. of Pages Spec and Claims

OFFICE OF PETITIONS# No. of Numbered Claims Only# No. of Sheets of Drawings (Figs) 1 Set Formal 1 Set Informal Cover Letter Declaration # of pages Assignment Cover Sheet Small Entity Declaration Extension Petition (PAT-111)# No. of Priority Documents IDS Letter Cited Appln(s) Foreign Sch Rep/OA PTO-1449 Cited Documents Issue Fee Transmittal Form PTOL-85(b)OTHER: **Petition to Withdraw from Issue
Check, \$130**Current DUE DATE:

(Submit Single Copy Only)

Kenneth M. Fagin, Esq.
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Gaithersburg, MD 20878
(301) 721-2583 (phone)
(301) 560-8880 (fax)
kmf@kmfagin.com

Kenneth M. Fagin

Fax

| | | | |
|--------|---|--------|------------------|
| To: | Ms. Creasy | From: | Kenneth M. Fagin |
| Fax: | 571-273-0025 | Pages: | Cover plus 17 |
| Phone: | 571-272-3208 | Date: | January 24, 2006 |
| Re: | Petition to Withdraw From Issue 09/485,657 | CC: | |

Urgent For Review Please Comment Please Reply Please Recycle

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Dear Ms. Creasy,

Attached are copies of the following materials in re the above matter:

Copy of Petition to Withdraw From Issue, filed with Office of Petitions 1/24/06 (today)
Copy of RCE filed with OIPE on 1/24/06
Copy of IDS filed with OIPE on 1/24/06 (without references, which were filed with OIPE)
Copy of Request to Correct Inventorship with supporting papers, filed with OIPE on 1/24/06

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No. of Pages Abstract# **No. of Pages Spec and Claims**# **No. of Numbered Claims Only**# **No. of Sheets of Drawings (Figs**)

1 Set Formal 1 Set Informal Cover Letter

Declaration # of pages

Assignment Cover Sheet

Small Entity Declaration

Extension Petition (PAT-111)

No. of Priority Documents

IDS Letter Cited Appln(s) Foreign Sch Rep/OA

PTO-1449 Cited Documents

Issue Fee Transmittal Form PTOL-85(b)

OTHER:

RCE

Request to Correct Inventorship and Supporting Documents

Check, \$1050 (RCE fee \$790, Request to Correct Inventorship Processing Fee \$130, Late Declaration surcharge \$130)

Current DUE DATE:

(Submit Single Copy Only)